

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 22, 2000

PRESENT:

Ted Short, Chairman
Jim Shaw, Vice Chairman
Joanne Bond, Commissioner
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner (arr 2:08 pm)

Amy Harvey, County Clerk
Mark Gregersen, Assistant County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

00-817 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the August 22, 2000, meeting be approved.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his concerns about One Region-One Vision. Guy Felton, area resident, expressed his concerns about corrupt elected officials. Al Hesson, area resident, expressed his concerns about the Airport Authority and lack of representation by the County Commissioners.

Kelly Probasco, Chair, Cold Springs Citizen Advisory Board, read a letter from the CAB into the record concerning improper dispatching of 911 calls. Commissioner Sferrazza stated that he recently experienced being placed on hold when he called 911 and requested a future agenda item concerning this so the Board can take action to correct the problem.

**00-818 RENO-SPARKS CONVENTION AND VISITOR'S AUTHORITY –
CONVENTION CENTER EXPANSION PROJECT**

Commissioner Sferrazza advised that he had requested discussion on the RSCVA's Convention Center expansion project fast-track construction method; that his

understanding now is that that is probably not going to occur; and that he would like to defer this discussion until after the RSCVA Board meets and takes action.

Lynn Thompson, Interim Chief Executive Officer of the RSCVA, explained that some of the prospective bidders have indicated that they are very uncomfortable presenting bids based on the limited degree of completion of the construction drawings and that their construction manager is going to be recommending to the Board of Directors that this fast track bid solicitation process be terminated. He further stated that their Board meets Thursday, August 24, 2000, at 8:00 a.m. and it is his expectation that the Directors will accept this recommendation.

Commissioner Bond asked when the plans/drawings would be completed. Mr. Thompson stated that they should be complete by December and they plan to solicit bids again at that time in as fast a process as they can, which will delay the project by approximately six months.

Commissioner Galloway stated that when the funding package came before the County Commission for the County to guarantee these general obligation bonds, the Commissioners put a restriction on it that the design-build process would not be used and the Board was given assurances at that time that the RSCVA intended to use the traditional design-bid-build method. He further suggested that Mr. Thompson remind his Board of that and stated that he would like to make a motion to oppose the fast track process.

Madelyn Shipman, Assistant District Attorney, stated that such a motion would not be appropriate under this agenda item and, further, that the County Commission has no jurisdiction to direct the RSCVA.

Commissioner Shaw stated that he is a member of both Boards; that this has been thoroughly discussed at both Boards; and that he does not believe it is the intent of the RSCVA Board to do design-build.

Commissioner Sferrazza, who is also on the RSCVA Board, stated his concern was that less than 100 percent drawings were being used to solicit bids and that this issue will probably be moot next Thursday (8/24/00).

David Farside, area resident, stated that another problem has surfaced, which is that there is a rumor going around that the contractors cannot get an assurance bond for completion, and asked if that would be something that would fall back on the County or the taxpayers.

Ms. Shipman advised that State law requires that any public works project over \$100,000 must have a performance bond and that a contractor could not start a project without such a bond.

Mr. Farside asked if that bond would cover the completion date. Ms. Shipman stated that it would not. Mr. Farside then asked if the project took a year longer to complete and enough room taxes were not generated to pay the loan, would this fall back on the taxpayers. Chairman Short stated that staff could check into that.

In response to Commissioner Galloway, Ms. Shipman stated that a performance bond covers completion of the project; that the timing and schedule of a project is a matter of contractual agreements between the parties; and that going after a performance bond would not jeopardize the general obligation bonds or the taxpayers.

Sam Dehne, area resident, stated that the bottom line is the citizens are ultimately responsible for this; and that if the room taxes do not come in to pay off these bonds for the expansion project, they will have to be paid by the citizens' taxes. He also discussed how the construction company working on the new parking lot is driving 2½ miles out of their way on every trip, which is wasting approximately \$500,000.

Based upon the representations made by Mr. Thompson at this meeting that the RSCVA Board of Directors will be taking action on August 24, 2000, concerning the bidding and construction methods to be used for their expansion project, Commissioner Sferrazza moved that this item be deferred until after the August 24th action by the RSCVA and that if the RSCVA only goes forward with a bid solicitation based upon 100 percent drawings, no action will be necessary by the County Commissioners. The motion was seconded by Commissioner Galloway and duly carried upon call for the vote.

**00-819 PROCLAMATION – LIBRARY CARD SIGN-UP MONTH –
SEPTEMBER, 2000**

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following proclamation, which Chairman Short read into the record, be adopted and that Chairman Short be authorized to execute on behalf of Washoe County:

WHEREAS, The Washoe County Library System, serving Nevada communities since 1904, will be celebrating “Library Card Sign-Up” Month, September, 2000; and

WHEREAS, The Washoe County Library System provides citizens the opportunity to access resources that can give every person the chance to learn and gain knowledge; and

WHEREAS, The Washoe County Library System in conjunction with the Washoe County School District will remind all citizens that children should be given the most important school supply of all—one available free to every child—a library card; and

WHEREAS, The Washoe County Library System wishes to make known the vast resources available free to library card holders including books, magazines, reference resources, videotapes, computers, Internet connections, etc. that can give every citizen the tools for learning; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that September 1 – 30, 2000 is designated as “Library Card Sign-Up Month” and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them at the Washoe County Libraries by signing-up for a library card.

00-820 GENERAL, HEALTH AND PUBLIC WORKS CONSTRUCTION FUNDS FINANCIAL REPORTS – JUNE 30, 2000 – UNAUDITED – COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the General, Health and Public Works Construction Funds Financial Reports (unaudited) for the year ended June 30, 2000, be accepted.

00-821 TRANSFER BUDGET AUTHORITY – DISTRICT HEALTH DEPARTMENT

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the transfer of \$100,000 from the Community Clinical Health Division of the District Health Department to the Administration Division of the Department be approved and that the Comptroller be directed to make the following account adjustments:

Revenues for the Tobacco Prevention

1709G1-	4301 Federal Contributions	\$100,000
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Expenses for the Tobacco Prevention

1709G2 -	7001 Base Salaries	\$ 66,103
	7042 Group Insurance	3,120
	7048 Retirement	12,395
	7050 Medicare	959
	7140 Other Professional Services	1,096
	7205 Minor Furniture & Equipment	5,000
	7213 Books/Subscriptions	464
	7250 Office Supplies	500
	7261 Postage & Express/Courier	1,000
	7307 Auto Expense	600
	7322 Copy Machine Expense	250

	7357 Printing	400
	7364 Registration	2,613
	7382 Telephone	500
	7620 Travel	5,000
	TOTAL	\$100,000

00-822 2000/2001 COMMUNITY SUPPORT BUDGET ADJUSTMENTS

Upon recommendation of John Brumley, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following allocation of expenditure authority within the Community Support budget (Department 1810) be approved:

Augment:

Key Org	Account	Description	Amount
18110	729001	Center Street Mission	\$120,000
18126	7290	Children's Cabinet	\$ 23,108
1825	7290	Project Restart	\$ 36,000
1814	7290	Nevada AIDS Foundation	\$ 15,200
18310	729052	Catholic Community Services	\$ 22,800
18310	729053	Crisis Call Center	\$ 30,000
18310	729054	Food Bank of No. NV	\$ 91,321
18310	729055	Gang Alternative Partnership	\$ 50,000
18310	729056	Washoe County Senior Center	\$ 15,411
18310	729059	Family Counseling Services	\$ 10,000

Deaugment:

18111G	7140	Other Professional Services	\$ 74,000
18310	7140	Other Professional Services	\$339,840

00-823 RESOLUTION – REQUESTING ATTORNEY GENERAL ASSISTANCE – DISTRICT ATTORNEY

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and that Chairman Short be authorized to execute:

RESOLUTION - Requesting the assistance of the Attorney General in the handling of a certain criminal matter.

WHEREAS, the Office of the District Attorney is responsible for the prosecution of criminal offenses which have occurred within the County of Washoe; and

WHEREAS, the District Attorney's Office has recently had submitted to it a habeas corpus petition by Robert Collins based upon a conviction in a burglary case; and

WHEREAS, an employee of the office of District Attorney, Appellate Division, the division otherwise responsible for responding to the petition, is a potential witness if the petition is not dismissed on motion; and

WHEREAS, there is a potential, if not actual, conflict of interest for the District Attorney's office to proceed on this matter; and

WHEREAS, it is essential in our judicial system that the conduct of the prosecutor remain free of any appearance of conflict of interest or impropriety.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Washoe County as follows:

1. That in accordance with the provisions of NRS 228.130 the Nevada Attorney General is hereby requested to assume complete responsibility for the handling of the petition for habeas corpus filed by Robert Collins.

2. That should the Attorney General agree to assume responsibility for the handling of the aforementioned case, the Comptroller of Washoe County will, upon submission of a duly verified claim, pay from the general fund of Washoe County all expenses that the Attorney General incurs in the prosecution of said case.

**00-824 RESOLUTION – TRUCKEE CANYON AREA PLAN –
COMPREHENSIVE PLAN AMENDMENT CASE CP00TC-001**

Upon recommendation of Dean Diederich, Planning Manager, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and that Chairman Short be authorized to execute:

**RESOLUTION
ADOPTING THE AMENDED TRUCKEE CANYON AREA PLAN (CP00TC-001),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, provides a long-term general plan for the devel-

opment of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the TRUCKEE CANYON AREA PLAN, was held on May 21, 1991, with the most recent amendment to the TRUCKEE CANYON AREA PLAN being held on June 20, 2000, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the TRUCKEE CANYON AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the TRUCKEE CANYON AREA PLAN being held on July 26, 2000, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

00-825 RESOLUTION – AMEND AGREEMENTS – PUBLIC SAFETY TRAINING FACILITY

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and that Chairman Short be authorized to execute:

RESOLUTION NO. 00-825

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT TO AMEND CERTAIN AGREEMENTS RELATED TO THE PST TRAINING FACILITY IN WASHOE COUNTY, NEVADA, TO PROVIDE FOR THE EXCLUSION OF A CERTAIN PARCEL OF LAND FROM THE GROUND LEASE AND OTHER DOCUMENTS EXECUTED IN CONNECTION WITH THE CONSTRUCTION AND FINANCING OF THE PST TRAINING FACILITY; AND PROVIDING OTHER THINGS PROPERLY RELATED THERETO.

WHEREAS, Washoe County Nevada ("Washoe") and PST Facility, Inc. ("PST") are developing a Public Safety Training Facility on a certain parcel of land in the County; and

WHEREAS, Washoe has, pursuant to a Ground Lease (the "Ground Lease") dated as of March 14, 2000 between Washoe, as Lessor, and PST, as Lessee, entered into a Ground Lease of certain unimproved land (the "Project Site") a legal description of which is attached to the original resolution as *Exhibit 'A'* to the Ground Lease, and has been placed on file with the Clerk; and

WHEREAS, Washoe and PST have entered into a Development Agreement and Agreement to Lease with Right to Purchase (the "Development Agreement") dated as of March 14, 2000 pursuant to which PST has agreed to develop the Project Site with certain improvements (the "Project Facilities") as described in the Development Agreement; and

WHEREAS, Washoe, as Lessee, has entered into a Lease Purchase Agreement with PST, as Lessor, with respect to the Project Site and Project Facilities dated as of March 14, 2000 (the "Lease Purchase Agreement"); and

WHEREAS, Washoe is in need of a certain portion of the Project Site for the purposes of constructing a county building and PST has agreed to release that portion of the Project Site (the "E/D Parcel") from the Ground Lease, the Lease Purchase Agreement and the Development Agreement (the "PST Agreements"); and

WHEREAS, the Project Site is described in *Exhibit "A"* to each of the PST Agreements.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Washoe County, Nevada

1. The Amendments Agreement (with respect to the Ground Lease, Lease Purchase Agreement, and Development Agreement and Agreement to Lease with Option to Purchase) by and between PST Facility, Inc. and Washoe County, Nevada dated as of September 1, 2000 (the "Amendments Agreement") in substantially the form now on file with the County Clerk be and the same is hereby approved by the Board, and the Chairman and Clerk are authorized to execute and deliver the Amendments Agreement for and on behalf of the County.
2. The officers of the County are authorized to take all action necessary to effectuate this Resolution.
3. This Resolution shall be effective upon its passage and approval.

**00-826 AGREEMENT – GREAT RENO BALLOON RACE – RANCHO
SAN RAFAEL – PARKS**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the agreement between Washoe County (Parks and Recreation) and The Great Reno Balloon Race, concerning an event to be held at Rancho San Rafael Park on September 6-10, 2000, be approved and that Chairman Short be authorized to execute.

**00-827 ASSUMPTION OF AMENDED LEASE AGREEMENTS FOR
EXISTING TENANTS OF CONKLIN BUILDING**

Tom Gadd, General Services Director, reported that all but two of the existing tenants in the Wanda A. Conklin Professional Building located at 76 Court Street are occupying the premises on either written or verbal month-to-month agreements; that to establish continuity and to protect the County, the sellers (Conklin) have approached the tenants for execution of new lease agreements; that ten tenants have signed, two are out of town and cannot be contacted, and two refused to sign; and that Washoe County is being asked to acknowledge and assume these lease agreements prior to close of escrow.

Commissioner Sferrazza requested a copy of the lease and Mr. Gadd provided a sample copy.

Commissioner Shaw asked when the two parties that have not been contacted would return. Mr. Gadd stated that if they do not sign an agreement, they will continue with the same month-to-month arrangement that they currently have.

Chairman Short asked about the two tenants who refused to sign. Paul Lipparelli, Deputy District Attorney, stated that one of them is contemplating moving his business and the other wishes to remain with the verbal month-to-month arrangement.

Commissioner Bond asked if the purpose of doing this is to give the tenants some assurances and a time certain for terminating their leases. Mr. Gadd stated that that was part of it and the other part is to ensure that the tenants will indemnify the County in the event that is necessary. A discussion ensued concerning the two tenants who refused to sign and possible ramifications to the County.

Commissioner Sferrazza noted that the leases go through April 30, 2001, and have a hold-over provision that allows the tenants to stay on a month-to-month basis up to 4 additional months, asked whether the County would need this property prior to August, 2001, and stated that he does not want staff coming to the Board before that time saying they need to terminate the leases so they can start construction. He also asked about the provision that the Lessor pays the real property taxes, water, sewer, and garbage service and requested information on those figures. Mr. Lipparelli advised that Mr. Conklin has said that his gross on this property is \$100,000 and his net is approximately \$60,000 per year.

Commissioner Sferrazza then discussed the sublease provisions and ADA requirements; and Mr. Gadd explained that that was added because there is currently a situation wherein one of the tenants is subleasing space to his daughter and this provision was included so that the tenants would know that subleasing will not be allowed unless the County specifically agrees. Mr. Lipparelli stated that the County could probably be exempt from the ADA requirements in view of the very short period of time this building will be occupied. Commissioner Bond stated that it would be easier if the County would just say no subletting except for any that already exist. Mr. Lipparelli explained that the landlord would always have the right to decide whether to consent to a sublet and that not allowing any subleases might foreclose the possibility of one of these tenants being able to sell their business.

Commissioner Galloway stated that ten of these leases have been signed so it appears that it is too late to change any of the provisions and that he feels it would have been better to have no subleases except for the one that currently exists. Commissioner Sferrazza requested that there be no sublease provisions for any other leases that have not yet been signed. Mr. Lipparelli stated that he believes the County is adequately protected because a sublease requires the County's written consent.

Commissioner Galloway further commented that he does not have a problem with the holdover clause because if the County needs that property before August 2001, all it has to do is give the tenants proper notice.

Commissioner Bond stated that she would move to approve the staff recommendation. Commissioner Shaw seconded the motion. Legal Counsel Madelyn Shipman asked if the motion could include authorization for the Chairman to sign any subsequent leases. Commissioners Bond and Shaw stated that they would add that to the motion.

Commissioner Galloway stated that he would reluctantly support the motion since ten people have already signed the agreements. Commissioner Sferrazza asked whether there was any appetite to require that any future leases provide for no subleasing. Following discussion, Commissioner Bond stated that she would add that to the motion and Commissioner Shaw stated that he would second that amendment.

Upon call for the vote, the motion carried unanimously, and Chairman Short ordered that:

1. The amended lease agreements from existing tenants of the Wanda A. Conklin Professional Building located at 76 Court Street, Reno, Nevada, Assessor's Parcel Number 011-165-01, as shown on a list attached to the Assignment agreement and placed on file with the Clerk, be acknowledged and assumed by the County;
2. The Chairman be authorized to execute the Assignment and Assumption of Lease Agreement and any additional leases that come in subsequent to this action; and
3. That the provision allowing the tenants to sublease be deleted from any leases that have not yet been signed.

**00-828 ADDENDUM TO PURCHASE AND SALE AGREEMENT AND
JOINT ESCROW INSTRUCTIONS – ADDENDUM TO
ENVIRONMENTAL HOLDBACK AGREEMENT – CONKLIN
BUILDING**

Tom Gadd, General Services Director, stated that this item is an attempt to indemnify the County for damages the County could suffer based on the discovery of an existing lease in the Wanda A. Conklin Professional Building for the Starlite Wedding Chapel that was not disclosed when the original purchase agreement was signed. He further explained that the sellers have agreed to keep \$100,000 in escrow, to pay up to \$25,000 in legal expenses if necessary, and to remove all strings from the \$15,000 environmental holdback and, basically, forfeit that amount to the County.

Commissioner Bond asked if the \$100,000 will be held in an escrow account until the Starlite either vacates the property or their lease expires. Mr. Gadd stated that that was correct.

Commissioner Shaw noted that at Caucus, Mr. Gadd had indicated that the \$100,000 “would help” and asked if that meant that the costs might exceed \$100,000 and the County might be liable for additional monies. Mr. Gadd stated that he could not say that \$100,000 would cover everything because he does not know whether there will be a claim for damages, but that, based on current information, \$100,000 should cover relocation costs.

Commissioner Bond stated that Mr. Conklin was going to talk to the owners of the Starlite and try to get them to sign a new lease and asked when that would hap-

pen. Mr. Gadd stated that Mr. Conklin has talked to the Starlite owners and they are not interested in signing a new lease that would expire earlier than October 31, 2002.

Commissioner Galloway asked if this \$100,000 could be used to relocate the wedding chapel to 195 South Sierra, assuming that was acceptable to them. Mr. Gadd stated that relocating the Starlite Wedding Chapel is what these funds are for.

Commissioner Sferrazza stated that he does not see anything in the agreement about reimbursement for condemnation expenses, should the County choose that avenue; that he does not know if \$100,000 is enough; and that accepting this \$100,000 appears to compromise the County's right to recover the full costs.

Paul Lipparelli, Deputy District Attorney, stated that this agreement is an attempt to remedy the seller's failure to disclose the Starlite's lease addendum and to make the County whole against any claims the County would suffer as a result of the existence of the Starlite lease beyond the original period of time and any damages that result from the County's need to terminate the lease during that period of time.

Commissioner Sferrazza stated that the County has the right to be compensated 100 percent as a result of any damages from this failure to disclose; that those damages may well exceed \$100,000; and that what this does is limit Conklin's liability. Mr. Lipparelli read the portion of the agreement in question. Commissioner Sferrazza stated that he would feel much better if it included the word "condemnation" because that is the only way the County would be able to terminate the lease before it expires. Mr. Lipparelli stated that he would add that.

Commissioner Galloway requested that language also be added to specify that these funds can be used to cover the costs of relocating the Starlite under a settlement agreement in the event a new location was found that the wedding chapel agreed to prior to October, 2002.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Addendum to Purchase and Sale Agreement and Joint Escrow Instructions and Addendum to Environmental Holdback Agreement for the Wanda A. Conklin Professional Building located at 76 Court Street (APN 011-165-01) be approved **as amended** by adding language to cover relocation costs caused by condemnation or settlement, and that Chairman Short be authorized to execute on behalf of Washoe County.

00-829 EMPLOYEE RECOGNITION PROGRAM

Chairman Short presented a certificate to Pat Rosaschi, Community Relations Department, for her suggestion concerning voice-activated software. Joanne Ray, Human Resources Director, reported that Dwight Jamison, an employee of the Sheriff's Office, submitted a suggestion over a year ago concerning the inmates' menu which has resulted in a savings to the County of over \$30,000, and that he has been awarded \$2,000

under the Employee Recognition Program. Chairman Short stated that this was a very significant saving and expressed the Board's appreciation to Mr. Jamison.

Ms. Ray also read the names of the following other employees being recognized for innovative, cost saving, suggestions:

- Miles Humphreys
- Danny Dragan
- Dixie Rudebusch
- Gary Minto
- Barrie McKay
- Don Barnes
- Suzanne Walsh
- Patti Tipton

00-830 DEMONSTRATION – COMMUNITY DEVELOPMENT PRODUCTS & DEVELOPMENT CODE AVAILABLE ON THE INTERNET

Sheri Ingley, Department of Community Development, with assistance from Dean Diederich, Planning Manager, conducted a power point demonstration showing step-by-step how to access the Washoe County Development Code on the internet as well as their other products, such as Citizen Advisory Boards' membership rosters, meeting dates and agendas, Planning Commission and Board of Adjustment agendas and rosters, development application information, the Washoe County Comprehensive Plan complete with maps, etc. Ms. Ingley stated that they plan to add the minutes of the Planning Commission and Board of Adjustment meetings and the development application forms to the website in the near future.

Bob Sellman, Department of Community Development Director, pointed out that getting information on the internet is a County-wide effort so that the citizens and other departments/agencies can get the information they need quickly.

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Commissioner Galloway temporarily left the meeting.

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00-831 CONTINGENCY TRANSFER – SUN VALLEY TEEN CENTER – FINANCE/PUBLIC WORKS

Upon recommendation of Kim Carlson, Finance Department, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Galloway being temporarily absent, Chairman Short ordered that the following inter-fund transfer, necessary because the bids for the Sun Valley Teen Center came in higher than expected, be approved and that the Comptroller be directed to make the necessary cash transfers:

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
1890-7328	General Fund Contingency		\$75,000
92083-7880	Sun Valley Teen Center	\$75,000	
1885-8192	General Fund Transfer Out	\$75,000	
92083-6901	Public Works Construction Fund Transfer In	\$75,000	

00-832 AWARD OF BID – SUN VALLEY TEEN CENTER – PUBLIC WORKS

This was the time to consider award of bid, Notice to Contractors having been published in the Reno Gazette-Journal on June 8, 14, 15, and 21, 2000, for construction of the Sun Valley Teen Center on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Bids were received from the following:

- Advance Installations
- Bison Construction
- Christman Construction
- Dennis Banks Construction
- Frank Evans Construction
- Greth Construction
- K7 Construction
- PCM Construction

Upon recommendation of Don Jeppson, Associate Architect, and Anthony McMillen, P.E., through Rodney Savini, Capital Projects Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that the contract for construction of the Sun Valley Teen Center be awarded to the low, responsive, responsible bidder Dennis Banks Construction in the amount of \$391,600.00 and that Chairman Short be authorized to execute the contract documents upon presentation.

It was noted that the apparent low base bid provided by Bison Construction was withdrawn by the bidder because they did not include all required project costs.

It was further noted that this bid award includes the base bid plus alternates 2 and 3; and that a deductive change order in the amount of \$27,016.00 will be processed lowering the total contract amount to \$364,584.00.

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Commissioner Galloway returned to the meeting.

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00-833 UPGRADE EMPLOYEE POSITION – PARKS DEPARTMENT

Upon recommendation of Greg Finkler, Park Operations Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the request to upgrade a vacant, permanent part-time, Grounds Maintenance Worker II position to permanent full-time be approved.

**00-834 LEMMON VALLEY COMMUNITY CENTER – RENTAL FEE –
FELLOWSHIP COMMUNITY CHURCH – PARKS**

Commissioner Bond stated that it was not her intent that the \$100.00 fee for use of the Lemmon Valley Community Center by the Fellowship Community Church be waived for their event scheduled on September 9, 2000, and that she would like to direct that the \$100.00 be paid out of her special District funds.

Legal Counsel Madelyn Shipman stated that a resolution would be required to direct such action. Chairman Short noted that the event is scheduled to occur before the Board will have another meeting. Ms. Shipman stated that staff would somehow take care of the event.

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that staff be directed to prepare the proper resolution so that this fee can be paid out of Commissioner Bond's special District funds for future adoption by the Board.

**00-835 BILL NO. 1281 -AMENDING WCC CHAPTER 5 – EMPLOYEE
MERIT AWARD PROGRAM**

Bill No. 1281, entitled, “**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE EMPLOYEE MERIT AWARD PROGRAM TO A SUGGESTION PROGRAM AND AUTHORIZING THE PROGRAM TO BE EXPANDED TO INCLUDE CITIZEN PARTICIPATION, AND OTHER MATTERS PROPERLY RELATING THERETO**” was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

00-836 APPOINTMENT – BOARD OF MASSAGE EXAMINERS

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that Kathleen Hauff be appointed to fill the vacant position on the Board of Massage Examiners with a term to expire August 31, 2003.

00-837

**INTERVIEW CANDIDATES – APPOINTMENT – REGIONAL
WATER PLANNING COMMISSION – DOMESTIC WELL
REPRESENTATIVE – WATER RESOURCES**

This was the time set for the Board to conduct interviews of the top three candidates selected by the Regional Water Planning Commission for the voting member position to represent domestic well owners on the Regional Water Planning Commission. The candidates were asked to wait out in the foyer until after their interview and the outside speakers were turned off. Ed Schmidt, Director, Department of Water Resources, distributed a list of proposed questions and suggested that each Board member choose one question to ask each candidate. That was done and the Board proceeded to interview the following candidates:

Charles Donohue
Nat E. Quilici
Mike DeMartini

The Board members discussed the qualifications of each of the candidates, noting that they were all excellent candidates and thanking them for their interest.

Following deliberation, on motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion carried unanimously, Chairman Short ordered that Mike DeMartini be appointed as a voting member representing Domestic Well Owners on the Regional Water Planning Commission to replace Paul Neuffer who is retiring.

Commissioner Sferrazza stated that he hopes Mr. Donohue and Mr. Quilici will apply to be the alternate.

00-838

**INTERLOCAL AGREEMENT – DISTRICT HEALTH
DEPARTMENT – CHILD ABUSE AND NEGLECT PREVENTION
PROGRAM – MANAGER**

Upon recommendation of Sheila Leslie, Grants Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Interlocal Agreement between the County of Washoe and the Washoe County Health District, concerning fiscal year 2000/2001 work associated with the Child Abuse and Neglect Prevention Program of the Community and Clinical Health Services Division of the District Health Department, in the amount of \$50,000, be approved and Chairman Short be authorized to execute.

00-839

**ACCEPTANCE OF GRANT – STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES – CHILDREN'S
TRUST FUND – MANAGER**

Upon recommendation of Sheila Leslie, Grants Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it

was ordered that up to \$40,000 in pass through funds from the State of Nevada Department of Human Resources, Children's Trust Fund, to be used to contract with a vendor to develop a five-year State Plan for child abuse and neglect prevention services be accepted. It was noted that the funds will also cover administrative expenses related to the cost of advertising and distributing the request for proposal.

00-840 AGREEMENT – CAMP, DRESSER & MCKEE – CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT (SAD 24) – WATER RESOURCES

Jim Ford, Remediation District Manager, distributed a report outlining the scope of work for the remediation plan and answered questions of Board members.

Commissioner Galloway suggested that this information be put on the internet and asked how long it will take to complete the groundwater modeling task. Mr. Ford responded that they can put this information on the web and stated that he would expect that the final model would be done in 18-24 months.

Upon recommendation of Jim Ford, Remediation District Manager, and Leonard Crowe, Water Resources Planning Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County and Camp, Dresser & McKee, concerning continued implementation of the Central Truckee Meadows Remediation District Work Plan and development of a draft Remediation Plan, be approved and Chairman Short be authorized to execute.

It was noted that the total compensation shall not exceed \$1,300,000 during the expected 18-24 month project schedule; that the contract will proceed in phases; and that staff will report to the Board at the completion of each phase.

00-841 REVIEW AND COMMENT ON DRAFT AMENDMENTS TO RESOURCE MANAGEMENT PLAN – BLM & USFS – WASHOE COUNTY OPEN SPACE PLAN

Bill Whitney, Open Space Planner, stated that at this time they would like to present the **draft** Bureau of Land Management (BLM) Southern Washoe County Urban Interface Plan Amendment and the **draft** United States Forest Service (USFS) Northern Sierra Plan Amendment and receive the Board members' comments regarding same to be submitted back to the agencies. He stated that they will be presenting these draft plans to the Citizen Advisory Boards and relaying their input to the BLM and USFS also. Mr. Whitney stated that this process began two years ago as a combined effort between the three entities; that they went to the CAB's at that time and held numerous public hearings to listen to the people's concerns about federal lands management issues; that both draft plans have now been officially released; and that this is the federal comment period prior to finalization of the plans. Mr. Whitney then displayed large maps on an

easel describing federal lands marked for disposal and responded to numerous questions from Board members.

Commissioner Sferrazza stated that he does not favor disposing of federal lands in the Truckee River Canyon because development there degrades the environment. Mr. Whitney indicated that parcels in the viewshed adjacent to I-80 are marked for retention, not disposal, and they will not dispose of parcels along the river.

Commissioner Galloway noted that 87 percent of Nevada is owned by the federal government and the percentage is going up; and stated that that fact should be a compelling reason to take lands off the disposal list, or not put them on, to compensate northern Nevada and provide some growing room. He asked about the checkerboard area at the south end of Warm Springs. Mr. Whitney stated that that checkerboard is left over from when the railroad went through and the reason they want to consolidate in the Pah Rah range is because there are valuable resources there, such as petroglyphs, prehistoric cultural resources and wildlife habitat, that should be in the public ownership plus the area is part of the Washoe County Regional Open Space Plan. Commissioner Galloway stated that the plan needs to be more specific and provide that kind of detail.

Commissioner Bond stated that there appears to be an exceptionally high number of lands available for disposal in the north valleys areas. Mr. Whitney referred to Map No. 2 and explained that the lands along the Pyramid Highway and in Antelope Valley are designated for disposal because they are surrounded by residential development.

Commissioner Shaw stated that he is also concerned about property near Mustang and that any land in proximity to the Truckee River should be left as it is.

Commissioner Sferrazza stated that he would prefer preservation of open space and not opening up public lands to development. Mr. Whitney stated that they have heard that comment, resoundingly, over the last couple of years.

Commissioner Galloway clarified that letting something be available for private ownership does not necessarily mean that it would be intensely developed and, in fact, some of these parcels might provide the means to acquire other open space, such as the Ballardini Ranch.

Commissioner Bond asked about the proposal to add the Sage Grouse to the endangered species list. Mr. Whitney stated that the Sage Grouse is not being addressed specifically in this plan, but is being talked about nationally, and that what is included in this plan are two ACEC's (areas of critical environmental concern), one on Winnemucca Ranch Road to preserve and protect the Wandering Skipper butterfly habitat and one in the Jumbo Grade area for the Williams Combleaf habitat. Commissioner Bond stated that it makes her very nervous that somebody felt the Sage Grouse was important enough to mention in this report because their range covers several states.

Gary Schiff, USFS District Ranger, explained the **draft** Northern Sierra Plan Amendment, stated that the lands in Washoe County were divided into the areas of Peavine, Reno Highlands and the Mt. Rose Wilderness area, and described the preferred alternatives that have been developed for these areas according to the public input that was received. He stated that in the plan the Chutes area would be available for skiing; that probably 550 of 600 comments received concerning the Meadows (Sheep Flats) area were against allowing snowmobiles; and that one of the biggest concerns of the people is having enough trails.

Commissioner Sferrazza stated that his major concern is the method used by the USFS for disposing of their lands because the government is not getting the highest price that it could. Mr. Schiff explained that the Forest Service does not have authority to sell land; that all they can do is exchange land; and that they are looking for a way to put this into a competitive exchange proposal.

Chairman Short asked what they are proposing for Sheep Flats. Mr. Schiff stated that if the Chairman has any ideas, he would be glad to listen; that the snowmobilers are afraid of losing an area that they have been using for years; that the cross-country skiers cited safety, noise, and environmental issues as reasons to not allow the snowmobilers in the area; and that the preferred alternative right now is just to leave it as it is letting everyone use the area.

Jeannie Fow, member of the North Valleys CAB and Antelope Valley resident, advised that their homeowner's association is concerned about the proposed disposal of the 40 acres in Antelope Valley because of possible development that might occur on that land and the loss of this open space.

5:25 p.m. **The Board took a brief recess.**

5:50 p.m. **The Board reconvened with Commissioner Sferrazza absent.**

00-842 **ALTURAS POWER LINE MITIGATION FUNDS – SILVER**
KNOLLS/RED ROCK ROAD AREA – AD HOC TASK FORCE

5:30 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on August 11, 2000, to review the proposed projects for funding with Alturas power line mitigation funds. Proof was made that due and legal notice had been given.

Bob Webb, Planning Manager, Community Development, introduced the Ad Hoc Task Force members and advised that they would present their recommendations.

Lewis Reiwitch, Chairman, Ad Hoc Task Force, explained how they chose their projects, how information was provided to the community, and why they chose to go with the projects they are recommending for approval.

* * * * *
Commissioner Sferrazza arrived at 6:00 p.m.
* * * * *

Nicole Poirier, Ad Hoc Task Force member, explained the community center proposal and how it will be useful to the community.

Jo Ann Reiwitch, Ad Hoc Task Force member, explained about the proposed addition to the current fire station; and that they received the quote of \$90,000 from Roy Slate, Division Chief, Reno Fire Department.

John Reilly, Ad Hoc Task Force member, described the contributions to the Swan Lake Nature Study Area in the amount of \$5,000, the walking path at Silver Lake in the amount of \$1,000, and the picnic shelter at the North Valleys Regional Sports Complex in the amount of \$4,000.

John Howe, area resident, stated that fire protection should rank as the top priority for this area; that the combined community center and fire station will be a center that will be used by many; and that they would like to make it as comfortable as possible. He further stated that they were informed by Truckee Meadows Fire Protection District that there is no money in the budget for expansion to the existing fire station, nor is there money available for a water tender, which is very much needed.

Commissioner Bond asked how many square feet could be added for \$90,000. John Merlino, Silver Knolls Volunteer Fire Department, responded that it would add a couple thousand feet to their existing building. Roy Slate, Division Chief, Reno Fire Department, advised that the amount of \$90,000 came from a previous bid on the Palomino Valley Fire Station.

Commissioner Bond inquired if the septic system is adequate for a combined community center/fire station and whether the parcel is large enough for this project. Mr. Howe responded that there is no septic system and currently the volunteers use a sani-hut at the station. He advised that the combined proposal includes a separate restroom for men and women; that they would need to install a septic system and leach field; and that Vernon Hotz, President, Lifestyle Homes, Inc., has offered to donate 1 acre of land for expansion of the fire station if needed.

Commissioner Shaw inquired if this proposal was discussed earlier when the task force was putting together recommendations or is this recent. Mr. Howe stated that they were only made aware recently of the amount being recommended for the community center; and that most residents would like to see the fire station upgraded, which is why they submitted this proposal. He further stated that he was informed by the Ad Hoc Task Force that it was too late for him to submit a proposal so he contacted Bob Webb who told him that until the Board of County Commissioners approves the proposals anyone can submit a proposal for consideration.

Commissioner Sferrazza asked if Mr. Howe was objecting to the proposed community center being built at the park because he resides next to the park. Mr. Howe stated that he was not aware of what the task force was recommending until recently; and that he believes that the community's needs would be best served by building a combined community center and fire station.

Commissioner Sferrazza commented that the survey, conducted by Mr. Howe, left out the fire station expansion for \$90,000, which may have confused people, and they may not have known exactly what they were consenting to.

Darlene Meredith, Lee Grasseschi, Edwin Stevens, Jeannie Fow, Tina Grasseschi, Mary Rinden, David Howe, Elizabeth Howe, Janet Rassano, Vicki Johnson, and Linette Wiggins, expressed their support for the combined community center and fire station and believed that it was in the best interest of their community to do so.

Dorsey Murphy, Rita Reilly, and the Ad Hoc Task Force members expressed their support for the Silver Knolls Community Center to be built at the park and to remain separate from the fire station. Lynda Johnson, who submitted a card but did not speak, expressed her support for the stand-alone community center.

Bob Goodman, Reno resident, expressed his appreciation to the task force for the donation to the Swan Lake Nature Study Area. He advised the Board that Swan Lake is no longer called Lemmon Valley marsh.

Commissioner Bond reviewed a list that she had made of pros and cons for the proposed projects. She stated that they hold CAB meetings at the Palomino Fire Station and when the fire alarm goes off they just have to stop and wait for everything to get over with. She inquired who would be responsible for cleaning up the community center and keeping the bathrooms clean. Mr. Merlino stated that he can foresee overseeing the facility but not being a janitor for the facility. Mr. Slate stated that he did not believe clean up would be an issue and would consist of the usual upkeep; and that if it became an issue for regular janitorial/maintenance of the facility, they may have to charge a fee to allow for contracting of janitorial services. Mr. Slate advised that Chuc Lowden, Chief, Reno Fire Department is being kept apprised of situations that have arisen from the proposed projects, and stated that the fire department would happily accept any amount of money for the station.

Commissioner Shaw stated that the Board's role is to approve the expenditure of these funds; that John Howe submitted a separate proposal than the task force; and based upon comments from the residents he is not sure how many people support either proposal and feels uncomfortable with trying to make a decision tonight. He further stated that he needs to know what the majority of the community wants concerning the proposals.

Chairman Short stated that the Board is being placed into the middle of a neighborhood fight regarding the expenditure of these funds; that the community should

decide how they want to expend these funds; and that based upon the comments made tonight he is not sure what the community wants and therefore could not vote for either project tonight. He suggested that the Community Development Department send out a survey to the residents to determine what proposal the community supports.

Commissioner Sferrazza suggested that each side draft a proposal for their project and submit that to Community Development and then the County could send out a survey for the residents to determine which project they would like built.

Commissioner Galloway concurred with the survey being sent to the residents; that the Board would wait for the results before making a decision on the community center/fire station and requested that the Public Works Department submit cost estimates for the projects for Board consideration.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that the following recommendations made by the Silver Knolls/Red Rock Area Ad Hoc Task Force be approved:

1. Contribution to the Swan Lake Nature Study Area (Lemmon Valley marsh and playa project) in the amount of \$5000.
2. Contribution to a Walking Path around Silver Lake in the amount of \$1000.
3. Contribution to the Picnic Shelter at the North Valleys Regional Sports Complex in the amount of \$4000.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that the Community Center and Fire Station projects be continued until staff from Community Development sends out a survey to the residents and brings back the results for further action.

It was noted that Mr. Webb will draft the survey with input from the community for both projects, which will then be submitted to Commissioner Bond for her review before being mailed out to the residents.

00-843 2001 LEGISLATIVE SESSION BILL DRAFT REQUESTS

John Slaughter, Strategic Planning, submitted an updated version of the Bill Draft Requests (BDR) and reviewed them with the Board. He advised that Reno had four BDR's for approval on their agenda today, but has not heard how they turned out. He stated that the Board has previously approved seven BDR's for the legislative package; that this is the first time the Board has seen the language for small construction projects (WC-3); and that he understands the Associated General Contractors (AGC) will be opposing this bill.

Madelyn Shipman, Legal Counsel, advised of the revisions to WC-8, WC-9, WC-14, and WC-15 based on comments from yesterday's caucus.

Commissioner Bond stated that she believes an analysis needs to be conducted to determine service levels, costs, etc., before they go forward with WC-9.

Chairman Short commented that they could take care of fiscal equity internally without initiating action at the legislature this session.

Commissioner Galloway stated that at the last joint meeting with the Cities of Reno and Sparks, there were concerns raised about service levels, costs, etc. and there was no available answer, and he believes this should be taken care of now before someone else submits a request.

Mark Gregersen, Assistant County Manager, noted that he spoke with County Manager, Katy Singlaub, and she informed him that management's efforts were to provide the Board with a number of alternatives for consideration regarding service levels, costs, etc., but ultimately this is a determination that the Board needs to decide.

Commissioner Sferrazza stated that in the past, an unincorporated town was proposed as a solution for the South Truckee Meadows, but it did not prevent annexation and so it was dropped. He further stated that an unincorporated town would solve both the fiscal equity and annexation issue and if someone really does not want to be annexed they could create an unincorporated town and pay for their own services. He further stated that they would receive their share of consolidated taxes and may not have to pay any additional taxes if they can maintain a certain level of service and advised that currently this only exists in Clark County.

Ms. Shipman stated that if they were to do that the intent of the proposed bill would be to incorporate the provisions of NRS 268.582(d), which are the Clark County provisions, into NRS 268.625(1); and that the current regional planning law under 268.625 says that "the city shall not consider the annexation of any area that is not within the designated sphere of influence," and the new language to the law would be "or that is included within the boundaries of any unincorporated town in its program of annexations." She further stated that this would be a policy decision, but she does have language that could be adopted if they do want to rewrite the BDR.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that WC-8 be rewritten and include the language suggested by Ms. Shipman to incorporate the provisions of NRS 268.580(2)(d) into NRS 268.625 paragraph 1.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that WC-9 be eliminated.

Commissioner Galloway noted that there is a draft interlocal agreement on WC-15 and if it is signed then there is no need for WC-14. Ms. Shipman advised that they always have the option to withdraw a bill that has been submitted.

Pat Coward, Lobbyist, stated that reapportionment is one of the biggest issues facing the legislative body and if there is not continuity among the Washoe County delegation supporting what the local governments want to do, it will be hard to get their bills passed.

Roy Hibdon, Civil Engineering Consultants, Ltd., stated that the City of Reno and Washoe County have very different planning philosophies and expressed his concern regarding zoning and land use changes.

On motion by Commissioner Galloway, seconded by Commissioner Sferazza, which motion duly carried, Chairman Short ordered that WC-14 and WC-15 be approved, with the understanding that if an agreement is reached through the regional plan or an interlocal agreement, they will be withdrawn.

Mr. Slaughter requested confirmation to include WC-3 and WC-11 in the bill package.

Ms. Shipman advised that the AGC opposes WC-3 and will be at the legislative session lobbying against this bill and advised of the purpose of WC-3 and the changes that were made at the last legislative session.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that WC-3 be continued to the special meeting on August 29, 2000, for clarification.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the language change in WC-11 be approved.

**00-844 RESOLUTION – INTERGOVERNMENTAL AGREEMENT –
RECERTIFICATION WASHOE COUNTY HOME CONSORTIUM
– FY 2001 THROUGH 2004**

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following Resolution adopting an Inter-governmental Agreement Recertifying the Washoe County Home Consortium for Fiscal Years 2001 to 2004 and other matters properly relating thereto, be adopted and Chairman Short be authorized to execute:

RESOLUTION - Resolution Adopting an Inter-governmental Agreement Recertifying the Washoe County Home Consortium for Fiscal Years 2001 to 2004, and Other Matters Properly Relating Thereto

WHEREAS, the United States Congress has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 and federal regulations have been adopted pursuant thereto (hereinafter “Act”); and

WHEREAS, Title II of the Act creates the Home Investment Partnerships Program (hereinafter “HOME”), that provides funds to states and local governments for acquisition, rehabilitation, new construction of affordable housing and tenant-based systems; and

WHEREAS, the Act requires local governments to submit a single Consolidated Plan that covers the entire geographical area encompassed by the WCHC as part of the eligibility requirements for HOME funds section 91.15(b) of the Consolidated final rule; and

WHEREAS, funds from Title II are distributed to metropolitan cities, urban counties, states and consortia of local governments; and

WHEREAS, the Act allows local governments to form a consortium for the purposes of receiving and administering HOME funds and carrying out purposes of the Act; and

WHEREAS, the Act requires that a consortium shall have one member until of general local government authorized to act in a representative capacity for all members for purposes of the Act to assume overall responsibility for the Act, including requirements concerning the Consolidated Plan; such member unit shall hereinafter be referred to as “Lead Agency”; and

WHEREAS, the WCHC was formed in June 1994 and the participating jurisdictions of the City of Sparks, City of Reno, and Washoe County desire the WCHC to continue; and

WHEREAS, this Agreement is entered into pursuant to NRS 277.110.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washoe County that Washoe County hereby approves the “Inter-Governmental Agreement Recertifying the Washoe County HOME Consortium (WCHC)” (the “Agreement”) for fiscal years 2001 to 2004, for which the City of Reno shall serve as the Lead Agency.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that the Chairman of the Board of County Commissioners is hereby authorized to execute the “Inter-Governmental Agreement Recertifying the Washoe County HOME Consortium (WCHC)” and to submit or cause to be submitted the Agreement to the United States Department of Housing and Urban Development and the State of Nevada Attorney General for approval.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that the County Clerk is hereby authorized and directed to file or cause to be filed a copy of the Agreement with the Secretary of State and the Washoe County Recorder.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that the Board of County Commissioners determines that this resolution does not impose any direct and significant economic burden on a business nor is it likely to directly restrict the formation, operation or expansion of a business within the meaning of NRS Chapter 237.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that the officers of the County are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. In the event that any provision in this resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this resolution and all the remaining provisions shall remain in full force and effect.

00-845 HOME CONSORTIUM – DESIGNATION FOR PRIORITY FUNDING – FISCAL YEAR 2000-2001

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that areas within unincorporated Washoe County be designated for priority funding through the Washoe County HOME Consortium (WCHC) for allocation of FY 2000-2001 funds and areas for priorities as appropriate be adopted.

00-846 REGIONAL PLAN AMENDMENTS

Mike Harper, Planning Manager, and Robert Sellman, Director, Community Development Department, provided a map of the area for review.

Mr. Sellman requested that the Board give them some basis for requesting that the boundary line be rolled back. Commissioner Galloway stated that the status of NRS 278 is questionable, because they do not know if the City of Reno will sign any interlocal agreement, and they do not know if any of their BDR's will succeed; and that the citizens do not want to tolerate the injustice of the City rezoning property that is not in the City.

Commissioner Galloway noted that the proposal is to rollback the portion of Reno's sphere, south of the Truckee River in District 1, back to the City limits. Mr. Sellman suggested that they make it south of Interstate 80, so that a gap is not created.

In response to Commissioner Shaw's inquiry, Commissioner Galloway stated that he is confident this is the wish of his CAB, as over 100 citizens attended the meeting, and all that it lacked was a formal motion by the CAB.

Roy Hibdon, Civil Engineering Consultants, Ltd., expressed concern about language relating to planning and permitting in Section D of the Regional Plan Amendment and stated that there should not be a conflict between state law and regional planning laws. He further stated several reasons to rollback the zoning are 1) Juniper Hills is a mature community, 2) that it is already subdivided, predominantly 1 acre to 5 acre parcels, 3) that the majority of parcels are already built on, and 4) the City only wants to come in and rezone to densify the area. He advised that Juniper Hills already has its own character and they would like to maintain the current character of their neighborhood.

Madelyn Shipman, Legal Counsel, advised that addressing all of the spheres is a part of the Regional Plan update process and what the Board is considering is a separate process for this particular action.

Chairman Short inquired if residents were on septic or sewer and whether there is currently a homeowner's association in Juniper Hills. Mr. Hibdon responded that there is no association currently, as it has expired, and that most people are on septic.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that staff be directed to submit a sphere amendment to roll back the Reno sphere in District 1, to the existing city limits.

00-847 BALLOT ARGUMENTS COMMITTEE – BALLOT QUESTION
WC1

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Registrar of Voters proceed with all matters related to the Arguments Committee, without appointing anyone to serve to write a statement in opposition to WC-1 or a rebuttal to the statement in support of WC-1, as no applications were received.

MANAGER AND COMMISSIONERS COMMENTS

Commissioner Sferrazza stated that at a previous meeting the Arguments Committee was selected for the Justice Center Bond question; that he had requested that Martin Crowley be included on this committee; and that since he was not, he is now requesting that Mr. Crowley be contacted and informed that he can have input to the committee.

Commissioner Bond asked that staff let her know why the Senior Center in Gerlach is still not open.

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There being no further business to come before the Board, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the Board adjourn and move into closed session at 8:40 p.m.

TED SHORT, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk
